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April 10, 2013

Honorable Steven C. Mannion, U.S.M.J.
Martin Luther King Federal Bldg. and
United States Courthouse
50 Walnut Street
Newark, NJ 07101

Re: National Union Fire Insurance Company of Pittsburgh as subrogee of
Cognizant Technology Solutions U.S. Corporation v. PNC Bank, N.A.
v. Cognizant Technology Solutions U.S. Corporation
U. S. District Court of New Jersey, No. 12-6245
Our File No. A0014-1349

Dear Judge Mannion:

Please accept this letter submitted by counsel for all parties related to the referenced matter. We submit this letter pursuant to the Initial Scheduling Order dated January 28, 2013 in advance of the telephone conference with Your Honor scheduled for April 18, 2013 at 10:30 AM.

There are two pending motions ripe for decision. National Union's Motion to Dismiss PNC's Counterclaim has been pending since the Motion Return Date of January 22, 2013. Cognizant's Motion to Dismiss PNC's Third Party Complaint has been pending since the Motion Return Date of February 19, 2013. The parties understand that the Court may be delayed in rendering its decisions regarding the motions.

On February 25, 2013, the parties jointly filed a proposed Discovery Confidentiality Order. To date, the Order has not been entered by the Court. Nevertheless, the parties have been working under the assumption that the Court will enter the Order and have exchanged documents with an agreement that they are bound by the terms of the submitted order.

The parties recently exchanged interrogatory responses and documents. Counsel have agreed to confer and attempt to resolve paper discovery issues pursuant to Paragraph 10 of the Initial Discovery Order.

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The parties anticipate taking several depositions in this matter and expect to schedule the depositions shortly. Both National Union and PNC anticipate retaining experts. Cognizant may or may not retain an expert.

The parties look forward to the phone conference next week. Should the Court have any questions or require additional information in advance of the conference, please do not hesitate to contact us.

Very truly yours,


MATTHEW A. LIPMAN

MAL/pjb
cc: Roy James Evans, Esquire